

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:11-CV-179-D

ALVIN J. BRACY, SR.,

Plaintiff,

v.


STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

ORDER

On May 12, 2011, defendant filed a motion to dismiss plaintiff's fourth cause of action for bad faith. The court has reviewed the motion under the governing standard. See, e.g., Fed. R. Civ. P. 12(b)(6); Ashcroft v. Iqbal, 129 S. Ct. 1937, 1949 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555-56, 563 (2007); Giarratano v. Johnson, 521 F.3d 298, 302 (4th Cir. 2008). The motion to dismiss [D.E. 4] is DENIED.

SO ORDERED. This 28 day of June 2011.


JAMES C. DEVER III
United States District Judge